



**PHILADELPHIA  
REDEVELOPMENT  
AUTHORITY**

1234 Market Street  
16th Floor  
Philadelphia, PA  
19107-3701

Tel: (215) 854-6500

Laura Kern, Esq.  
Legal Director

Direct Number  
(215) 209-8661

Fax Number  
(215) 209-8751

E-Mail  
laura.kern@pra.phila.gov

March 22, 2013

**VIA UPS OVERNIGHT**

Joshua Barber, Remedial Project Manager  
Eastern PA Remedial Branch  
U.S. Environmental Protection Agency  
1650 Arch Street (3HS22)  
Philadelphia, PA 19103

**Re: Notice of Potential Liability (the "Notice")  
Lower Darby Creek Area Superfund Site  
Operable Unit 1 – Clearview Landfill  
Darby Township, Delaware County and Philadelphia, PA**

Dear Mr. Barber:

The Redevelopment Authority is in receipt of the Notice, in which you request that the Authority express its willingness or unwillingness to participate in future negotiations concerning the referenced site. The Notice states that EPA believes the Authority (i) owned or operated a facility at which hazardous substances were disposed and (ii) owned property adjacent to the Clearview Landfill between 1958 and 1969.

As we advised EPA by letter dated February 22, 2002, a copy of which is attached, after extensive due diligence, the Authority has determined that it neither owned nor operated the Clearview Landfill nor any other facility in the vicinity at which hazardous substances were disposed. The Authority did acquire and sell certain land in the Eastwick section of Philadelphia along the Delaware County border. That land, however, was acquired and sold for the creation of parkland and not for any sort of waste disposal. If that land were contaminated by spillage of the landfill over the county line before or during the Authority's ownership, the Authority is a victim of the landfill and not a CERCLA owner or operator.

If you have information to suggest otherwise, we would be happy to review it. However, based on our extensive due diligence, the Authority has had no involvement whatsoever in operating or owning the Clearview Landfill nor has it disposed of hazardous substances anywhere in the vicinity. There is no need, therefore, for the Authority to participate in negotiations concerning the landfill.

Sincerely,

Laura Kern

Enc.